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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Jeffrey C. Felt et al.

Serial No.: 10/098,601

Filed: 15 March 2002

For: METHOD AND SYSTEM FOR
MAMMALIAN JOINT
RESURFACING

To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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)
) Attorney Docket: 32355.12.1.2
)

) Group Art Unit: 1615
)

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on this 5 day of October, 2004

By Matthew J.S. Graham

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR BEFORE MAILING
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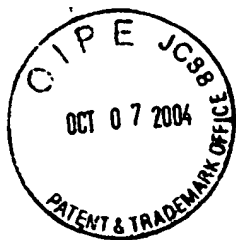
SIR:

The Supplemental Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever occurs last. 37 CFR 1.97(b)

Respectfully submitted,

Dated: 10/4/04

Matthew J.S. Graham
Registration No. 54,647
Fredrikson & Byron, P.A.
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Minneapolis, MN 55402-1425
(612) 492-7256
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By

Madilyne Thompson

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

SIR:

In accordance with the duty of disclosure, enclosed is a completed Form PTO-1449.

Consideration of each of the listed references by the Examiner is respectfully requested. Copies of the references listed below are all of record in Application No. 10/167,963, filed June 12, 2002, from which the present application derives priority under 35 USC § 120. In accordance with 37 CFR §1.98(d), applicant is not enclosing additional copies of these references. Applicant also respectfully requests that an initialed copy of Form PTO-1449 indicating such consideration be returned with the next Official Action, as set forth in MPEP 609.

Reference

U.S. Patent No. 3,728,742 (Averill)

U.S. Patent No. 4,081,866 (Upshaw)

U.S. Patent No. 5,509,934 (Cohen)

U.S. Patent No. 5,525,418 (Hashimoto et al.)

U.S. Patent No. 5,944,759 (Link)

U.S. Patent No. 6,558,421 (Fell et al)

U.S. Patent Application Publication No. 2003/0060882 (Fell et al)

U.S. Patent Application Publication No. 2003/0060883 (Fell et al)

U.S. Patent Application Publication No. 2003/0060884 (Fell et al)

U.S. Patent Application Publication No. 2003/0060885 (Fell et al)

U.S. Patent Application Publication No. 2003/0060888 (Fell et al)

Enclosed are copies of the following references:

U.S. Patent No. 3,815,599 (Deyerle)

U.S. Patent No. 5,725,531 (Shapiro)

U.S. Patent No. 6,048,345 (Berke et al)

U.S. Patent Application Publication No. 2001/0037114 (Dinger et al)

U.S. Patent Application Publication No. 2003/0055500 (Fell et al)

U.S. Patent Application Publication No. 2003/0055501 (Fell et al)

U.S. Patent Application Publication No. 2004/0006393 (Burkinshaw)

EP 0 378 002 (Minnesota Mining)

WO 01/066021 (Parker)

Wayne, "Use of the McIntosh Prosthesis in Surgical Reconstruction of the Knee", Abstracts of 1971 Proceedings, *J. Bone and Joint Surgery*, June 1972, pp. 292-293

Andersson et al., "MacIntosh Arthroplasty in Rheumatoid Arthritis", *Acta Orthop.*, 1974, 45:245-259.

Cameron et al., "Review of a Failed Knee Replacement and Some Observations on the Design of a Knee Resurfacing Prosthesis", *Archives of Orthopaedic and Traumatic Surgery*, 1980, pp. 87-89.

Clary et al., "Experience with the MacIntosh Knee Prosthesis", *So. Medical Journal*, Vol. 65, No. 3, March 1972, pp. 265, 265-272.

Conaty et al., "Surgery of the Hip and Knee in Patients with Rheumatoid Arthritis", *J. Bone and Joint Surgery*, Vol. 55, No. 2, March 1973, pp. 301-314.

Emerson et al., "The Use of the McKeever Metallic Hemiarthroplasty for Unicompartmental Arthritis", *J. Bone and Joint Surgery*, Vol. 67 No. 2, February 1985, pp. 208-212.

Hastings et al., "Double Hemiarthroplasty of the Knee in Rheumatoid Arthritis", *J. Bone and Joint Surgery*, Vol. 55, No. 1, February 1973, pp. 112-118.

McCollum et al., "Tibial Plateau Prosthesis in Arthroplasty of the Knee", *J. Bone and Joint Surgery*, Vol. 52, No. 4, June 1970, pp. 827-828.

Jessop et al., "Follow-up of the MacIntosh Arthroplasty of the Knee Joint", *Rheum. Phys. Med.*, Vol. 11, 1972, pp. 217-224.

Kay et al., "The MacIntosh Tibial Plateau Hemiprosthesis for the Rheumatoid Knee", *J. Bone and Joint Surgery*, Vol. 54, No. 2, May 1972, pp. 256-262.

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MacIntosh et al., "The Use of the Hemiarthroplasty Prosthesis for Advanced Osteoarthritis and Rheumatoid Arthritis of the Knee", *J. Bone and Joint Surgery*, Vol. 54, No. 2, May 1972, pp. 244-255.

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McKeever, "Tibial Plateau Prosthesis", *Clinical Orthopaedics and Related Research*, No. 192, 1985, pp. 3-12.

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Potter et al., "Arthroplasty of the Knee in Rheumatoid Arthritis and Osteoarthritis", *J. Bone and Joint Surgery*, Vo. 54, No. 1, January 1972, pp. 1-24.

Potter, "Arthroplasty of the Knee with Tibial Metallic Implants of the McKeever and MacIntosh Design", *Surgical Clinics of North America*, No. 49, No. 4, August 1969, pp. 903-915.

Sbarbaro, "Hemi-tibial plateau prosthesis ten years experience in 500 knee arthroplasties", *Acta Orthopaedica Belgica*, Vol. 39., 1973, pp. 91-100.

Schorn et al., "MacIntosh Arthroplasty in Rheumatoid Arthritis", *Rheumatology and Rehabilitation*, 1978, 17:155-163.

Scott et al., "McKeever Metallic Hemiarthroplasty of the Knee in Unicompartamental Degenerative Arthritis", *J. Bone and Joint Surgery*, Vol. 67, No. 2., February 1985, pp. 203-207

Stauffer et al., "The MacIntosh Prosthesis", *Arch Surg.*, Vol. 110, June 1975, pp. 717-720.

Swanson et al., "Unicompartamental and Bicompartamental Arthroplasty of the Knee with a Finned Metal Tibial-Plateau Implant", *J. Bone and Joint Surgery*, 1985, pp. 1175-1182.

Taylor et al., "MacIntosh arthroplasty in rheumatoid arthritis", "Proceedings and Reports of Universities, Colleges, Councils and Associations", *J. Bone and Joint Surgery*, Vol. 48, No. 1, February 1966, pp. 119-120.

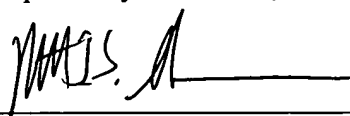
Wordsworth et al., "MacIntosh arthroplasty for the rheumatoid knee: 10-year follow up", *Annals of the Rheumatic Diseases*, 1985, 44:738-741.

By submitting these references, applicant does not admit that the references are prior art to or material to this application, and reserves the right to establish that any reference is not prior art. Applicant does not represent that the references have been reviewed in detail; there may be details in the references of which applicant is unaware.

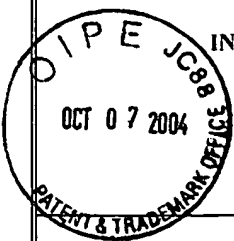
The Commissioner is hereby authorized to charge any additional filing fees required to Deposit Account No. 061910.

Dated: 10/4/04

Respectfully submitted,



Matthew J.S. Graham
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Customer No. 022859



INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

ATTY. DOCKET NO.

32355.12.1.2

SERIAL NO.

10/098,601

APPLICANT

Felt et al.

FILING

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GROUP

1615

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		3,728,742	4/1973	Averill et al.	3	1	
		3,815,599	6/1974	Deyerle	128	305	
		4,081,866	4/1978	Upshaw	3	1.911	
		5,509,934	4/1996	Cohen	623	20.32	
		5,525,418	6/1996	Hashimoto et al.	428	323	
		5,725,531	3/1998	Shapiro	606	85	
		5,944,759	8/1999	Link	623	18.11	
		6,048,345	4/2000	Berke et al.	606	85	
		6,558,421	5/6/03	Fell et al	623	14.12	
		2001/0037114	11/01	Dinger et al.	606	85	
		2003/0060882	3/2003	Fell et al	623	14.12	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
		EP 0 378 002	7/1990	EP			
		WO 01/066021	9/2001	PCT			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Andersson et al., "MacIntosh Arthroplasty in Rheumatoid Arthritis", <i>Acta Orthop.</i> , 1974, 45:245-259.
	Cameron et al., "Review of a Failed Knee Replacement and Some Observations on the Design of a Knee Resurfacing Prosthesis", <i>Archives of Orthopaedic and Traumatic Surgery</i> , 1980, pp. 87-89.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<div style="display: flex; align-items: center;"> <div> INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) </div> </div>					ATTY. DOCKET NO. 32355.12.1.2		SERIAL NO. 10/098,601	
					APPLICANT Felt et al.			
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U.S. PATENT DOCUMENTS								
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		2003/0060883	3/2003	Fell et al	623	14.12		
		2003/0060884	3/2003	Fell et al	623	14.12		
		2003/0060885	3/2003	Fell et al	623	14.12		
		2003/0060888	3/2003	Fell et al	623	20.33		
		2003/0055500	3/2003	Fell et al.	623	14.12		
		2003/0055501	3/2003	Fell et al.	623	14.12		
		2004/0006393	1/2004	Burkinshaw	623	20.3		
FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION <div style="display: flex; justify-content: space-between; font-size: small;"> YES NO </div>	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)								
		Clary et al., "Experience with the MacIntosh Knee Prosthesis", <i>So. Medical Journal</i> , Vol. 65, No. 3, March 1972, pp. 265, 265-272.						
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		Emerson et al., "The Use of the McKeever Metallic Hemiarthroplasty for Unicompartmental Arthritis", <i>J. Bone and Joint Surgery</i> , Vol. 67 No. 2, February 1985, pp. 208-212.					
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		Kozinn et al., "Surgical Treatment of Unicompartmental Degenerative Arthritis of the Knee", <i>Orthopedic Surgery and Degenerative Arthritis</i> , Vol. 14, No. 3, December 1988, pp. 545-564.					
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		Taylor et al., "MacIntosh arthroplasty in rheumatoid arthritis", "Proceedings and Reports of Universities, Colleges, Councils and Associations", <i>J. Bone and Joint Surgery</i> , Vol. 48, No. 1, February 1966, pp. 119-120.					
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